IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELALTE SIDE

APPEAL FROM ORDER NO.1033 OF 2005
WITH
CIVIL APPLICATION NO.1237 OF 2005

Mr.Vijay Rajaram Hiramal. ...Appellant.

Vs.

Vasu Sadanand Kulkarni & Anr. ...Respondents.

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Mr. A. M. Saraigu for the Appellant.
Mr.S. K. Sthalekar for Respondent No.2.

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CORAM : DR. D.Y. CHANDRACHUD, J.

November 28, 2005.

P.C.:

By the impugned order, the City Civil Court has directed the Municipal Corporation to initiate action against the stall of the Appellant on the ground that it is situated on a road/footpath. The order of the Learned Trial Judge only directs the Municipal Corporation to initiate action in accordance with law. The Municipal Corporation shall take steps in accordance with law which shall include an opportunity of being heard to the Appellant and to the First Respondent. In this view of the matter, it is not necessary to issue any further direction. The appeal is accordingly disposed of.

In view of the disposal of the appeal, the Civil Application does not survive and is accordingly disposed of.

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